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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 03/12/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/629,974

Applicant(s)

DOI ET AL.

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on December 23, 2003 (Paper No. 5). Previous office action contained claims 1-13. Applicant added claim 25. Amendment filed on December 23, 2003 have been entered and made of record.

Response to Arguments

Applicant's arguments filed December 23, 2003 have been fully considered but they are not persuasive. Applicants argued that Wilsher et al. U.S. Patent 6,160,552 does not disclose or suggest counting means for counting the reference information to obtain a total number of times references made for each referring URL. This is not found persuasive. Wilsher reference teach the counting a total number of times references made for each particular place or a particular folder are available in a "Frequent Visits" (col. 6, lines 28-42; and col. 10, lines 6-49).

Therefore, the examiner asserts that the cited prior arts (Wilsher) teaches or suggests the subject matter broadly recited in independence claims 1,12, and 13. Claims 2-11, and 25 are rejected at least by virtue of their dependency on independent and by other reasons set forth in the previous office action [see Paper No. 4].

Accordingly, rejections for claims 1-13, and 25 are presented as below.

Claim Objections

2. Claim 25 objected to because of the following informalities: Referring to claim 25, line 5, examiner suggested applicant to change "referring URL; and' " to "referring URL; and" . Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-13 rejected under 35 U.S.C. 102(e) as being anticipated by Wilsher et al. U.S. Patent 6,160,552.

3. Referring to claims 1,12, and 13, Wilsher reference disclose reference information storing means for storing a referring URL (Uniform Resource Locator) that referred to a data file accessed by the client computer as reference information (figure7; col. 5, lines 46-51, and col. 11, 2nd paragraph); and counting means for counting the reference information to obtain a total number of times references made for each referring URL (col. 6, lines 28-42).

4. Referring to claim 2, Wilsher reference disclose information source monitor device is incorporated into the client computer (col. 1, lines 23-42; and col. 5, 1st paragraph).

5. Referring to claim 3, Wilsher reference disclose information source monitor device is constructed as a part of a browser in the client computer (Figures 1-6; col. 1, lines 23-42; and col. 5, 1st paragraph)

6. Referring to claim 4, Wilsher reference disclose information source monitor device is positioned at a relay point between the server computers and the client computer (Figures 2-5).

7. Referring to claim 5, Wilsher reference disclose reference information extracting means for extracting information of a referring URL from a request header which is issued by the client:

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computer when the client computer accesses a data file on the server computer (col. 5, lines 14-26).

8. Referring to claim 6, Wilsher reference disclose reference information extracting means extracts a data type of a data file from a response header which is issued by the server computer when the client computer accessed the data file on the server computer (col. 5, lines 14-26).

9. Referring to claim 7, Wilsher reference disclose sorting means for counting the reference information according to data types to find a total number of times reference was made to each referring URL (Abstract; col. 10, 2nd and 3rd paragraph).

10. Referring to claim 8, Wilsher reference disclose data converting means for converting data of the reference information into a displayable data format (col. 6, lines 7-54).

11. Referring to claim 9, Wilsher reference disclose reference information storing means further storing a text belonging to a data file accessed by the client computer (col. 6, lines 7-54).

12. Referring to claim 10, Wilsher reference disclose information accumulating means for accumulating as a cache a predetermined amount of data files accessed by the client computer; and, information updating means for updating data files at referring URLs and data files linked to the data files at the referring URLs at a predetermined link level in the cache at predetermined time intervals according to a counting result of the reference information by accessing a corresponding server computer (col. 5, lines 46-51; col. 6, lines 28-42; col. 10, 2nd paragraph; and col. 11, 2nd paragraph).

13. Referring to claim 11, Wilsher reference disclose searching means for searching the data files in the cache (col. 4, lines 22-53).

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14. Referring to claim 25, Wilsher reference disclose reference information storing means stores at least a referring URL as reference information, when the client computer makes an access to a URL of a lower hierarchical order than the referring URL, that is hyperlinked to a HTML page of the referring URL (col. 6, lines 32-38); and said counting means for counting a referred number of times of the referring URL stored in said reference information storing means (col. 10, lines 21-29).

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakai et al. U.S. Patent 6,170,016

Inohara et al. U.S. Patent 6,182,111

Farber et al. U.S. Patent 6,185,598

Kobayakawa et al. U.S. Patent 6,119,078

Hoyer et al. U.S. Patent 6,381,635

Hoyer et al. U.S. Patent 6,263,361

Weinberg et al. U.S. Patent 6,144,962


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-5315. The examiner can normally be reached on Mon -Thu (7AM-4:30PM) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Phuoc H. Nguyen
Examiner
Art Unit 2143

March 9, 2004


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100